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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/698,558	
	Filing Date	October 27, 2000	
	First Named Inventor	NOEL S. MOEN et al	
	Art Unit	3725	
	Examiner Name	Mark Rosenbaum	
Total Number of Pages in This Submission	9	Attorney Docket Number	Case 6103

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<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Eric Marich, Patent Dept. The Babcock & Wilcox Company 20 S. Van Buren Ave, Barberton, OH 44203	
Signature	<i>Eric Marich</i>	
Date	January 20, 2004	

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Typed or printed name	Eric Marich
Signature	<i>Eric Marich</i>
Date	January 20, 2004

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<p align="center">CERTIFICATE OF MAILING</p> <p>I hereby certify that this correspondence is being transmitted via facsimile to telephone number 703-872-9302, Art Unit 3725, the United States Patent & Trademark Office, Commissioner for Patents, P.O. Box 1450, Arlington, VA 22313-1450 on January 20, 2004.</p> <p>By: <u><i>Eric Marich</i></u> Eric Marich</p> <p>Dated: January 20, 2004</p>	<p align="right">Patent Attorney Docket No.: Case 6103</p> <p align="center">OFFICIAL</p>
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of) IMPROVEMENTS IN
NOEL S. MOEN ET AL.) EL TYPE PULVERIZERS
Filed: October 27, 2000)
Serial No.: 09/698,558) Confirmation No.: 5059
Art Unit: 3725)
Examiner: Mark Rosenbaum) Attorney Docket No.: Case 6103

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
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AMENDMENT IN RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Sir:

The Office Action mailed December 17, 2003 indicated that Applicants' Amendment filed on December 1, 2003 was non-compliant because it failed to meet the requirements of 37 CFR §1.121, as amended on June 30, 2003 (see 68 Fed. Reg. 38611, Jun. 30, 2003), and required correction. In particular, the Office Action indicated that Applicants' amendments to the specification did not include amended paragraphs with markings. However, the Office Action indicated that only the section (§1.121(h)) of the Amendment document containing the omission or non-compliant provision must be resubmitted (in its entirety).

**AMENDMENT IN RESPONSE TO
NOTICE OF NON-COMPLIANT AMENDMENT
Patent Application Serial No. 09/698,558
Reply to Office Action Mailed December 17, 2003
Art Unit: 3725**

Attorney Docket No.: Case 6103

The Office Action also indicated that if the non-compliant Amendment was a reply to a NON-FINAL OFFICE ACTION, since the Amendment appears to be a *bona fide* attempt to reply (37 CFR §1.135(c)), Applicants were given a TIME PERIOD of ONE MONTH from the mailing date of the notice within which to re-submit the corrected section which complies with 37 CFR §1.121 in order to avoid abandonment, and further indicated that extensions of this time period are available under 37 CFR §1.136(a).

It is believed that no extensions of time are required for the present submission but if any are required, the Commissioner is hereby authorized to charge any fees for same, or to credit any overpayment thereof, to Deposit Account No. 50-1813 as set forth in the enclosed Transmittal. Since the TIME PERIOD of ONE MONTH from the mailing date of the notice is to and including Saturday, January 17, 2004, and the following Monday, January 19, 2004 is Martin Luther King, Jr.'s birthday, a Federal holiday within the District of Columbia, Applicants may timely respond on the following Tuesday, namely January 20, 2004.

In response to the Office Actions mailed July 29, 2003 and December 17, 2003, please amend the above-identified patent application as follows:

**AMENDMENT IN RESPONSE TO
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Amendments to the Specification begin on page 4 of this paper.

Remarks begin on page 8 of this paper.